

June 5, 2006

FEDERAL ORDER

Domestic Quarantine of the counties of Monroe, West Virginia, and Franklin and Delaware, Ohio, for Gypsy Moth (*Lymantria dispar*)

This Federal Order quarantines, effective immediately, the counties of Monroe, West Virginia, and Franklin and Delaware, Ohio, for Gypsy Moth, (*Lymantria dispar*). This action is in response to recent trapping of Gypsy Moths in these three counties, and evidence of a reproducing population that requires quarantine to prevent the interstate spread of Gypsy Moth.

Effective immediately, interstate movement of Gypsy Moth regulated articles from Monroe County, West Virginia, and Franklin and Delaware Counties, Ohio, must be in accordance with 7 CFR 301.45. This Order is issued under the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412 (a), 7 U.S.C. 7712 (a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States.

7 CFR 301.45-2(b) allows the designation of less than an entire state as a generally infested area only when the state enforces an intrastate quarantine that matches Federal Gypsy Moth Regulations. Accordingly, the States of West Virginia and Ohio must confirm prior to July 1, 2006, respectively the establishment of an intrastate quarantine for Monroe County, West Virginia, and Franklin and Delaware Counties, Ohio, that parallels Federal requirements stipulated in 7 CFR 301.45; otherwise it will be necessary to quarantine the entire state as of that date in order to prevent the interstate spread of the plant pest. The confirmation of the intrastate quarantine should be made in writing to the APHIS State Plant Health Director.

7 CFR 301.45-2(c) further requires written notification be given to the owner or person in possession of a newly quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the Gypsy Moth Program in the affected state.

If you wish more details on the Federal Gypsy Moth regulatory program, you may contact the staff officer, Weyman Fussell at (301) 734-5705. For information on regulatory requirements for movement of articles out of West Virginia, please contact the APHIS State Plant Health Director, Jo Messineo at 304-372-8590. For information on regulatory requirements for movement of articles out of Ohio, please contact the APHIS State Plant Health Director, John Burch at 614-834-4625.

We continue to appreciate the cooperative relationship with the states of West Virginia and Ohio in our mutual effort to prevent the spread of quarantine pests.